

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIACALVIN M. ROBINSON,
Plaintiff,

v.

PHILLIPE SILVA, et al.,
Defendants.

Case No. 24-cv-02154 BLF (PR)

**ORDER DENYING REQUEST FOR
APPOINTMENT OF COUNSEL**

(Docket No. 22)

Plaintiff, a state prisoner, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison staff at Salinas Valley State Prison (“SVSP”), where he was formerly confined, for Eighth Amendment violations. Dkt. No. 1. The Court found the complaint stated cognizable claims and ordered service on Defendants. Dkt. No. 12.

Plaintiff has filed a letter requesting “to receive counsel legal representation to assist me with my lawsuits.” Dkt. No. 22. He provides no basis for this request. *Id.* There is no constitutional right to counsel in a civil case unless an indigent litigant may lose his physical liberty if he loses the litigation. *See Lassiter v. Dep’t of Social Services*, 452 U.S. 18, 25 (1981); *Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997) (no constitutional right to counsel in § 1983 action), *withdrawn in part on other grounds on reh’g en banc*, 154 F.3d 952 (9th Cir. 1998) (en banc). The decision to request counsel to

1 represent an indigent litigant under § 1915 is within “the sound discretion of the trial court
2 and is granted only in exceptional circumstances.” *Franklin v. Murphy*, 745 F.2d 1221,
3 1236 (9th Cir. 1984). Here, Plaintiff has presented no grounds to support his request.
4 Accordingly, the request is **DENIED** for lack of exceptional circumstances. *See Agyeman*
5 *v. Corrections Corp. of America*, 390 F.3d 1101, 1103 (9th Cir. 2004); *Rand*, 113 F.3d at
6 1525 (9th Cir. 1997); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991); *Wilborn v.*
7 *Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).

8 **IT IS SO ORDERED.**

9 **Dated: __January 7, 2025__**


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California